

# Notice of Allowability

Application No.

10/742,937

Examiner

Erika Villaluna

Applicant(s)

MARTIN ET AL.

Art Unit

2852

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communication received 9/4/07.
2. ☒ The allowed claim(s) is/are 1-48.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date 3/21/06
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## DETAILED ACTION

### *Election/Restrictions*

1. Claims 1-21 and 25-45 are allowable. The restriction requirement set forth in the Office action mailed on 8/3/07, has been reconsidered in view of the allowability of claims to the elected invention pursuant to MPEP § 821.04(a). **The restriction requirement is hereby withdrawn.** Claims 22-24 and 46-48 are no longer withdrawn from consideration because the claim(s) requires all the limitations of an allowable claim.
2. In view of the above noted withdrawal of the restriction requirement, applicant is advised that if any claim presented in a continuation or divisional application is anticipated by, or includes all the limitations of, a claim that is allowable in the present application, such claim may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application.
3. Once a restriction requirement is withdrawn, the provisions of 35 U.S.C. 121 are no longer applicable. See *In re Ziegler*, 443 F.2d 1211, 1215, 170 USPQ 129, 131-32 (CCPA 1971). See also MPEP § 804.01.

### *Reasons for Allowance*

4. The following is an examiner's statement of reasons for allowance:
5. The prior art does not disclose or suggest "selecting at least a second substation from one of the exposing substation and developing substation of the second print

station; adjusting a setting on the first substation, based on an interval between the first substation and the second substation; generating a test image using the selected substations, wherein a cause of the color uniformity problem can be identified from the test image based on the selected substations used to form the test image" in combination with the remaining claim elements as set forth in claims 1-13.

6. The prior art does not disclose or suggest "choosing at least one test set, each test set identifying a charging substation from a first print station, an exposing substation from the second print station or a third print station; adjusting a charge setting on the identified charging substation, based on an interval between the identified charging substation and the identified developing substation; and generating, for each test set, a plurality of test images that are indicative of a color uniformity problem" in combination with the remaining claim elements as set forth in claims 14-21.

7. The prior art does not disclose or suggest "measuring at the downstream developing substation a voltage on the charge-retentive surface of the image-forming device resulting from a charge delivered at the charging substation; incrementing the charge setting on the charge setting device; repeating at least the applying and measuring steps for at least one incremented charge setting; and determining, based on the measured voltages on the charge-retentive surface of the image-forming device...a charge setting that results in the target voltage at the developing substation" in combination with the remaining claim elements as set forth in claims 22-24.

8. The prior art does not disclose or suggest "instructions for selecting at least a second substation from one of the exposing substation and developing substation of the

second print station; instructions for adjusting a setting on the first substation, based on an interval between the first substation and the second substation; instructions for generating a test image using the selected substations, wherein a cause of the color uniformity problem can be identified from the test image based on the selected substations used to form the test image" in combination with the remaining claim elements as set forth in claims 25-37.

9. The prior art does not disclose or suggest "instructions for choosing at least one test set, each test set identifying a charging substation from a first print station, an exposing substation from the second print station or a third print station; instructions for adjusting a charge setting on the identified charging substation, based on an interval between the identified charging substation and the identified developing substation; and instructions for generating, for each test set, a plurality of test images that are indicative of a color uniformity problem" in combination with the remaining claim elements as set forth in claims 38-45.

10. The prior art does not disclose or suggest "instructions for measuring at the downstream developing substation a voltage on the charge-retentive surface of the image-forming device resulting from a charge delivered at the charging substation; instructions for incrementing the charge setting on the charge setting device; instructions for repeating at least the applying and measuring steps for at least one incremented charge setting; and instructions for determining, based on the measured voltages on the charge-retentive surface of the image-forming device...a charge setting

that results in the target voltage at the developing substation" in combination with the remaining claim elements as set forth in claims 46-48.

11. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

13. Smith (US 5,313,259) is cited for its disclosure of a multicolor imaging device containing four print stations wherein multiple chargers of different print stations can be used with one developing unit of one print station, when forming monochrome images.

14. Lin et al. (US 6,889,021 B2) is cited for its disclosure of an electrographic printing apparatus wherein two charging substations and two exposure substations are used in conjunction with four developing substations of varying colors.

### **EXAMINER'S AMENDMENT**

15. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

16. Authorization for this examiner's amendment was given in a telephone interview with Gang Luo on 11/20/07.

17. The application has been amended as follows:

18. Specification, para. [0048], ll. 4-5: "patent application Ser. Nos. \_\_\_\_\_  
(attorney docket numbers 114058 and 114059)" has been amended to read - -  
Patent Nos. 6,970,662 and 7,031,628 - -.

19. Claim 4: "charge settings" has been amended to read - - charge setting - -.

20. Claim 5: "adjustment an AC charge" has been amended to read - -  
adjustment to an AC charge - -.

21. Claim 13: "method of claim 1" has been amended to read - - method of claim  
12 - -.

22. Claim 14: "identifying a charging substation from the first print station" has  
been amended to read - - identifying a charging substation from a first print station - -.

23. Claim 22:

a. "charge setting device" has been amended to read - - charge setting - -.

b. "to usable obtain" has been amended to read - - and usable to obtain - -.

24. Claim 29: "adjustment an AC charge" has been amended to read - -  
adjustment to an AC charge - -.

25. Claim 38: "identifying a charging substation from the first print station" has  
been amended to read - - identifying a charging substation from a first print station - -.

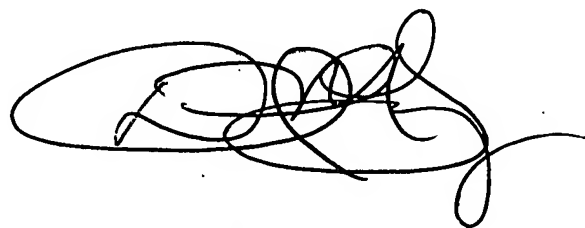
**Contact Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erika Villaluna whose telephone number is (571) 272-8348. The examiner can normally be reached on M-F 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David M. Gray can be reached on (571) 272-2119. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

EV

A handwritten signature in black ink, appearing to read 'D. Gray', with a large, loopy flourish extending from the end.

DAVID M. GRAY  
SUPERVISORY PATENT EXAMINER